

## Office of Professional Accountability (OPA) Commendations & Complaints Report March 2006

### Commendations:

Commendations Received in March: 59

Commendations Received to Date: 108

<b>Ballingham, John Nelson, Richard Stimmel, Paul</b>	A kind letter of commendation was received by a sergeant and two officers for their presentation to a class of preschoolers. Visiting the class with their horses provided a unique experience for the students. The teacher (a special education teacher) was amazed at how much language the children were using to express their thoughts and feelings. It was a valuable experience for everyone involved.
<b>Belshay, Richard</b>	Detective Belshay was commended for the assistance he provided to the Snohomish County Major Crimes Unit during a homicide investigation. He participated in a multi-agency investigation and along with his expertise, brought this investigation to a successful conclusion.
<b>Besaw, Robert</b>	Officer Besaw received a commendation from two local citizens. He assisted two women in locating their vehicle.
<b>Bogucki, Kim Diaz, Adrian</b>	A thank you letter was received by two officers for their outstanding hospitality provided to Peruvian Officers during their visit. The purpose behind the visit was to strengthen and develop relationships between Peru and Washington State police agencies so that both may benefit from training opportunities and cultures.
<b>Britt Jr, Melvin Drain, David Radford, Bennie</b>	A commendation was received by a sergeant, detective and officer for their professional and thorough home burglary investigation.
<b>Carrell, Dustin Sideris, Vasilios</b>	The department received a letter commending the actions of two Seattle Police officers for their assistance in removing a missing person held captive in a crack house located in Seattle. The officers involved used every avenue available in resolving this situation. The safe recovery of the child was made possible by advice and actions of the police.
<b>Cook, Sara</b>	An acknowledgement was received from the Fire Department to Off. Cook for her response to a fire. She was able to rescue the animals in the household and deliver them to a safe shelter. Later, she stopped by HMC to make sure the social worker let the owners know that their dogs were safe.
<b>Cross, Michael Givens, Lauren Griesheimer, M. Oshikawa-Clay, K.</b>	A letter of thanks was received by the officers for their demonstration of professionalism during a ride-along. They were also very informative with the various questions that were asked. It was a very positive experience.
<b>Crumb, John</b>	Detective Crumb was instrumental in the recovery of a stolen computer. His investigation led to the address of the suspect. Within a few days, the stolen computer was recovered.
<b>Cruzan, Michael Haag, Devlin Strong, Kipp Turner, Kenneth</b>	A thank you card was sent to four officers who participated in "Read Across America Day" at an elementary school. It was greatly appreciated by all the students. This allowed the students to have a positive interaction with police officers. This is another example of the excellent community partnership of these officers.
<b>Diezsi, Michelle Diluzio, Carol</b>	A commendation was received by two dispatchers for listening to and handling a frantic call of a concerned citizen on the welfare of a friend (victim) and a suspect of a domestic violence incident.
<b>Drain, David Hayes, John Levandowski, Von</b>	A note of thanks was sent to these sergeants and lieutenant for their assistance at the Education Summit at Garfield High School. They made the Summit safe and successful.

<b>Martin, Ann</b>	
<b>Fewel, Joseph Pirak, John</b>	A note of gratitude was received by members of the Homeland Security Section and Office of Emergency Management for the hospitality they showed to the Delta, British Columbia Police Department. They were able to obtain information about our new Mobile Communication Vehicle and emergency management initiatives.
<b>Garza, Arthur Haviland, Ron</b>	A telephone call was received by a sergeant informing him that officers did an excellent job in responding to a burglary call. She was appreciative of the officers calm, confident and caring manner.
<b>Graves, Kathleen</b>	Officer Graves received a letter commending her thorough job in a follow-up investigation of a house burglary. Her persistence and dedication was beneficial toward recovering some property. Officer Graves also coordinated with other law enforcement agencies in other jurisdictions and located the criminals who were forging the stolen checks.
<b>Hidalgo-Landeros, C. Kirchmeier, D. Kolarsick, Kathy Kuehn, Patrick McDonald, Virgil</b>	A thank you letter was received from a law enforcement agency by three officers and two civilians for the hospitality shown to them while visiting our training facility to learn about our In-car Camera program. They gave a very thorough overview of the equipment and set up other staff members to meet with us to answer questions. They were very impressed with the knowledge and expertise of the staff and their willingness to share this knowledge.
<b>Jakobsen, Todd Mooney, John Redemann, David</b>	A sergeant and two detectives were commended for their customer service, phone etiquette; friendly, open and informative interview as part of a criminology class project on auto theft.
<b>Jelcick, Thomas Whalen, Terry</b>	Two officers were thanked for their assistance in preventing a possible suicide.
<b>Ku, David</b>	A commendation was received by Officer Ku for his response to a hit-and-run victim. He was able to contact the suspect with positive results. He played an important role in maintaining a high level of service to the citizens served by the North Precinct.
<b>Le Blanc, Mike</b>	Officer Leblanc was commended for his assistance in a motor vehicle accident. He was helpful and nice.
<b>Lord, Tawnya Nelson, Richard Stimmel, Paul Wubbena, Mark</b>	A letter was received by members of the Mounted Patrol Unit for their assistance in a Social Studies Fair Project. The kindness of the officers and staff was greatly appreciated.
<b>Nelson, Daniel Orinski, Frank</b>	A kind letter was received by two officers commending them for their actions on a call to a home where a person was found deceased. The officers showed compassion, sympathy, respect and pride.
<b>Nelson, Eric Sylvester, David Yamamoto, E.</b>	A sergeant and two officers were commended by the Royal Canadian Mounted Police for their assistance, while in Seattle, on an exercise in waterways security. Each officer demonstrated an exceptional level of competence.
<b>Neubert, Gregory Tietjen, Michael</b>	A letter of gratitude was received by two officers for their shown concern and well-being of a citizen.
<b>Rogers, Brett</b>	A thank-you letter was received by Officer Rogers for his presentation to a class of high school students. He provided the students with the opportunity to work with a police officer inside the classroom. He left an outstanding impression upon the students.
<b>Wilson, Malinda</b>	A thank you letter was received by Detective Wilson for her presentation to a freshman class at Mount Si High School on "Cyber Safety". The helpful tips and cautions presented were well received.
<b>Wong, Mark</b>	A reported stolen vehicle equipped with a silent alarm was tracked and recovered within minutes of activation. Officer Wong was commended for his quick response. Within ten minutes, Off. Wong tracked and located the vehicle and suspects were then taken into custody for theft and other violations.

\*This report includes commendations received from citizens or community members. Numerous commendations generated within the department are not included.

### March 2006 Closed Cases:

*Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.*

Cases are reported by allegation type. One case may be reported under more than one category.

#### CONDUCT UNBECOMING AN EMPLOYEE

The complainant alleged ongoing harassment by the named employee in the form of repeated parking infractions. The complainant also alleged that on one occasion, the named employee physically stepped in front of him to block his path and made a threatening statement.	<p>The evidence indicated that the named employee was aggressively enforcing the 72-hour abandoned vehicle law. This directly affected the complainant, who frequently bought used cars and parked them on the city streets.</p> <p>The complainant sought the named employee out on several occasions and made remarks about him to the public.</p> <p>The named employee admitted to making a comment similar to what the complainant alleged. The comment was only mildly threatening, and understandable under the unique circumstances presented. Finding—EXONERATED.</p>

#### CONFIDENTIALITY OF RECORDS

It was alleged that the named employee provided a police report to a private citizen without following Department policy or procedure.	The evidence showed that a friend of the named employee's contacted him to help her obtain a copy of a police report of a domestic violence arrest in which she was the victim. The employee, while off-duty, provided his friend a copy of the report, in violation of Department policy. Finding—SUSTAINED.

#### FAILURE TO TAKE APPROPRIATE ACTION

It was alleged that the named employee failed to handle a 911 call properly and was rude to the caller.	<p>The named employee received a 911 call checking on the status of an earlier call for assistance with an elderly woman in the roadway, who was disoriented. The named employee failed to update the earlier call, then inappropriately canceled the earlier call.</p> <p>The named employee also engaged in inappropriate and rude dialogue with the caller. Finding—SUSTAINED.</p>
It was alleged that the named employee did not properly handle a 911 call of a crime in progress. It was also alleged that the named employee was rude to the caller.	The named employee received a 911 call of a crime in progress and did not follow proper protocol for immediate dispatching of patrol cars. The named employee also failed to gather suspect information and engaged in rude and inappropriate dialogue with the caller. Finding—SUSTAINED.
It was alleged that the named employee did not properly handle a 911 call of a domestic violence in progress. It was also alleged that the named employee made an inappropriate comment to the	The named employee failed to handle the call as a crime in progress by dispatching police cars. The named employee made an inappropriate comment to the caller and disconnected the call. The caller did call back and police were dispatched to handle the domestic violence incident. Finding—SUSTAINED.

caller before disconnecting the call.	
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**USE OF FORCE**

It is alleged that the named employee used unnecessary force and profanity during an arrest.	<p>The named employee made contact with the subject during a criminal offense. The named employee believed the subject was hiding something from his view and placed his hand on the subject's coat to stop him. A struggle ensued and both the subject and the named employee fell to the ground. The subject suffered some minor abrasions on his face and was taken into custody. Witnesses did not see any excessive force used during the contact and subsequent arrest. Finding FORCE—EXONERATED.</p> <p>The complainant states the named employee used profanity during the arrest, but other witnesses could not say which officer made the profane remark. Officer witnesses state that no profanity was used during the arrest. The evidence does not clearly support one version over the other. Finding CUBO—NOT SUSTAINED.</p> <p>The named employee used sufficient force during the arrest to cause injury to the subject, requiring completion of a Use of Packet. Finding Failure to Report Use of Force—SUPERVISORY INTERVENTION.</p>
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**VIOLATIONS OF RULES/REGULATIONS**

Complainant alleged the officer was rude and demeaning when he pulled her over for a traffic violation.	The complainant was pulled over for an illegal turn. She stated that the officer was rude, questioned her repeatedly, and mocked her for having her driver's license out. She did not receive a ticket or a warning. The passenger in the car also stated that the officer was rude and intimidating. The officer stated that he pulled the complainant over to see if she needed directions, and attempted to break the ice with humor about whether she wanted a ticket. Finding—SUSTAINED.
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## March 2006 Cases Selected for Mediation:

*Cases described below were referred for mediation.*

- The complaint was generated as the result of an interaction between a member of the Seattle Police Department and another City Agency. Employees of a Seattle Public Utilities crew alleged that the named employee became loud, unprofessional and rude over what were perceived as safety issues at a job site.

### Definitions of Findings:

**“Sustained”** means the allegation of misconduct is supported by a preponderance of the evidence.

**“Not sustained”** means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

**“Unfounded”** means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

**“Exonerated”** means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

**“Supervisory Intervention”** means while there may have been a violation of policy, it was not a willful violation, and/or the violation did not amount to misconduct. The employee’s chain of command is to provide appropriate training, counseling and/or to review for deficient policies or inadequate training.

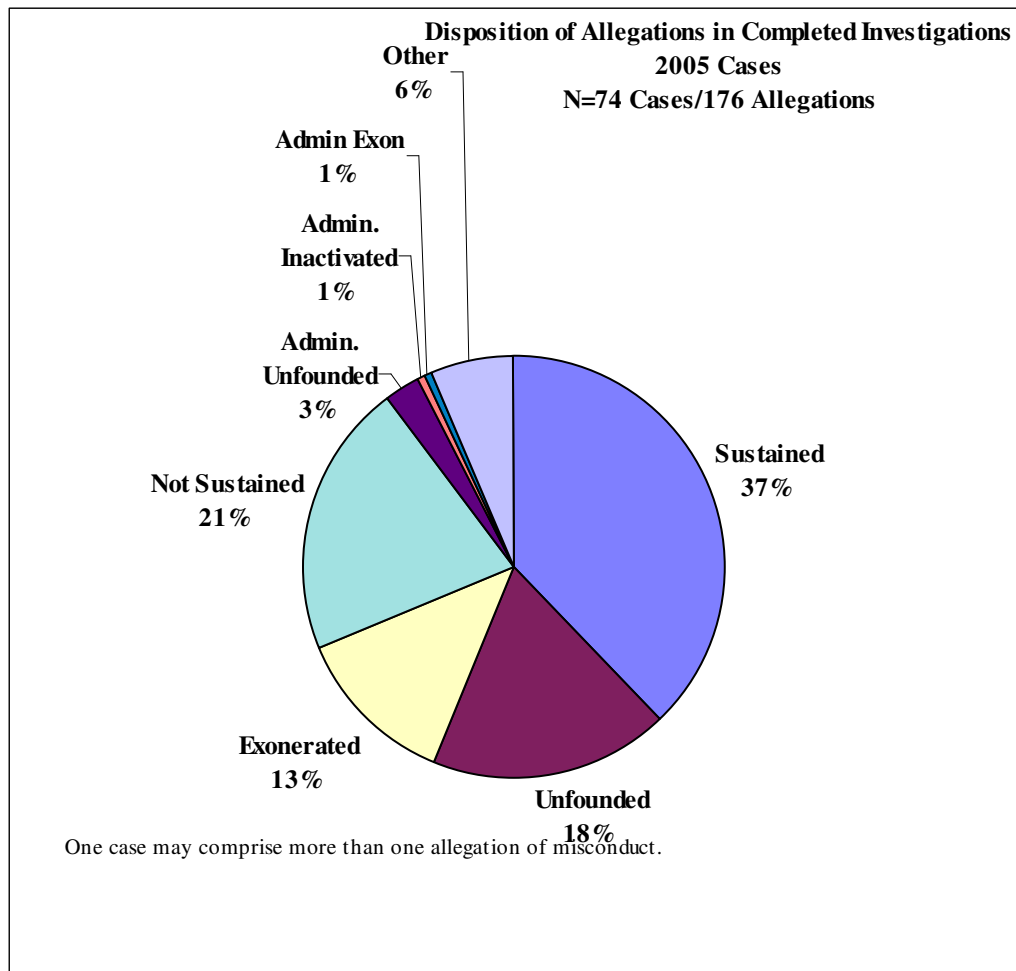
**“Administratively Unfounded/Exonerated”** is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

**“Administratively Inactivated”** means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

## Status of OPA Contacts to Date: 2005 Contacts

	December 2005	Jan-Dec 2005
Preliminary Investigation Reports	23	315
Cases Assigned for Supervisory Review	5	77
Cases Assigned for Investigation (IS;LI)	8	210
Cases Closed	40	74*
Commendations	84	498

\*includes 2005 cases closed in 2006



## 2006 Contacts

	Mar 2006	Jan-Dec 2006
Preliminary Investigation Reports	41	75
Cases Assigned for Supervisory Review	7	24
Cases Assigned for Investigation (IS;LI)	18	54
Commendations	59	108

